

**PUBLICATION OF DECISION LIST NUMBER 13/16-17**

MUNICIPAL YEAR 2016/17

Date Published: 7 April 2017

This document lists the decisions taken by the Cabinet at its meeting on 4 April 2017. The list covers key and non-key decisions. These decisions will come into force within ten working days of the date of this document (i.e. 25 April 2017) unless the appropriate Overview and Scrutiny Committee calls a decision in.

Cabinet decisions are subject to pre-implementation review through the following call-in procedure:-

Decisions that involve expenditure over £100,000 can be called in. "Call-in" requires at least a quarter of the Members of the appropriate Overview and Scrutiny Committee to request the "call-in", in writing, within four working days of the publication of the decision by the Cabinet, to be effective. Where the appropriate Committee has been previously involved in the decision which is being "called-in", the request should be made by Members of one of the other two Overview and Scrutiny Committees. A Notification of Call-in Form can be obtained from and should be completed, signed and returned to Graham Seal, Governance Services Manager. The meeting of the Overview and Scrutiny Committee to consider the "called-in" item(s) must take place within twenty working days of the publication of the decision by the Cabinet. The Call-In procedure does not apply where the decision being taken by the Cabinet is urgent.

Where an Overview and Scrutiny Committee is of the opinion that an executive decision which relates to an area covered by that Committee yet to be made or made but not yet implemented would be, contrary to the policy framework, or contrary to or not wholly in accordance with the Council's budget, then it should seek advice from the Monitoring Officer and/or Director (Finance and Operations).

If you have any queries or wish to obtain further report information or information on a decision please refer to:  
Graham Seal, Governance Services Manager at the Council Offices, Campus  
East, Welwyn Garden City, Herts AL8 6AE  
Telephone number (01707) 357444 or e-mail [g.seal@welhat.gov.uk](mailto:g.seal@welhat.gov.uk)

## INDEX OF PUBLISHED CABINET DECISIONS

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2/13/16-17	Cabinet	4 April 2017	1	Review of the Constitution	Budget and Policy Framework Item for Recommendation to the Council	All	No	All	3.
3/13/16-17	Cabinet	4 April 2017	1	Community Infrastructure Levy (CIL) Preliminary Draft Charging Scheme Consultation	Key Forward Plan Ref: FP779	All	No	Environment	4.
4/13/16-17	Cabinet	4 April 2017	1	Local Development Scheme (LDS)	Key Forward Plan Ref: FP782	All	No	Environment	5.
5/13/16-17	Cabinet	4 April 2017	1	Renewal of Insurance Policies 2017/18 – Request for Delegated Authority	Key Forward Plan Ref: FP788	All	No	Resources	6.
6/13/16-17	Cabinet	4 April 2017	1	Hatfield 2030+ Renewal Project	Non-key	Hatfield	No	Environment	7.
7/13/16-17	Cabinet	4 April 2017	1	Capital Budget Roll Forwards Report 2017/18	Non-Key	All	No	Resources	8.

<b>List Ref.</b>	<b>Decision Made by</b>	<b>Date of Decision</b>	<b>Part 1/2</b>	<b>Subject/Title of Report</b>	<b>Category of Decision</b>	<b>Affected Wards</b>	<b>Eligible for Call-In &amp; Date Decision must be called in by (If applicable)</b>	<b>Appropriate Overview and Scrutiny Committee</b>	<b>Page No.</b>
8/13/16-17	Cabinet	4 April 2017	1	Business Rates Budget Changes	Non-Key	All	No	Resources	9.
9/13/16-17	Cabinet	4 April 2017	1	The Release of Approved Capital Funding in 2017/18	Non-Key	All	No	Resources	10.
10/13/16-17	Cabinet	4 April 2017	2	Sale of High Value Council Properties – Affordable Housing	Key Forward Plan Ref: FP799	All	No	Social	11.
11/13/16-17	Cabinet	4 April 2017	2	Award of Build Contract for the Redevelopment of 16 Bedsit Flats on Northdown Road as part of the Councils Affordable Housing Programme	Key Forward Plan Ref: FP790	Hatfield South	No	Social	13.
12/13/16-17	Cabinet	4 April 2017	2	Decommissioning of Existing Unsuitable Sheltered Housing Properties and Schemes and Proposals for Revised Use and Older Persons New Build Opportunity	Non-Key	All	No	Social	14.
13/13/16-17	Cabinet	4 April 2017	2	Write Offs Over £10,000	Non-Key	Handside	No	Resources	16.

**LIST REFERENCE: 1/13/16-17**

<b>SUBJECT / TITLE OF REPORT</b>
Submission Local Plan

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by the Decision</b>	<b>Decision taken by</b>	<b>Date decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>	<b>Appropriate Overview and Scrutiny Committee</b>
1	All	Cabinet	4 April 2017	No	Budget and Policy Framework Item for Recommendation to the Council  Key Forward Plan Ref: FP782	Sue Tiley 01707 357268 <a href="mailto:s.tiley@welhat.gov.uk">s.tiley@welhat.gov.uk</a>	No	Environment

<b>DECISION:</b>
<p>(1) The Cabinet agreed and recommended to the Council that the Local Plan, Policies Map and associated submission documents identified in paragraph 4.59 of the report of the Executive Director (Public Protection, Planning and Governance) should be submitted with minor modifications as set out in the report, to the Secretary of State for public examination.</p> <p>(2) The Cabinet agreed that the Head of Planning, in consultation with the Executive Director (Public Protection, Planning and Governance) and the Executive Member (Planning, Housing and Community), be given delegated powers to continue to agree Memorandums of Understanding and Statements of Common Ground with adjoining authorities and other duty to co-operate bodies as appropriate all the way up until submission in order to secure the best outcome for the public examination.</p> <p>(3) The Cabinet agreed and recommended to the Council that the Head of Planning, in consultation with the Executive Director (Public Protection, Planning and Governance) and the Executive Member (Planning, Housing and Community), be given delegated authority to add to, amend and/or delete items from the Schedule of Minor Modifications that may arise as a result of on-going meetings with adjoining authorities and other duty to co-operate bodies and to update the Infrastructure Delivery Plan, all the way up until the point of submission.</p>

**DECISION:**

- (4) The Cabinet agreed that the Head of Planning, in consultation with the Executive Director (Public Protection, Planning and Governance) and the Executive Member (Planning, Housing and Community), be given delegated authority to prepare a Statement of Duty to Co-operate which explains the outcome of on-going duty to co-operate meetings with adjoining authorities and other duty to co-operate bodies, to be submitted to the Secretary of State alongside the Submission Local Plan.
- (5) The Cabinet agreed and recommended to the Council that the Head of Planning and Planning Policy and Implementation Manager, in consultation with the Executive Director (Public Protection, Planning and Governance) and the Executive Member (Planning, Housing and Community) and with regular reporting back to this Panel, be authorised to advocate the Submission Local Plan at the public examination and seek to secure the best outcome for the Borough if the Inspector wishes to discuss possible changes, additions or deletions to the Plan.
- (6) The Cabinet agreed and recommended to the Council that the inclusion of the omitted comment in Main Issues summary, as set out in the Addendum to Appendix A of the report of the Executive Director (Public Protection, Planning and Governance), be noted and no change be made to the Draft Local Plan Proposed Submission or Policies Map as a result of the representation.

**BACKGROUND:**

Recommendations of Cabinet Housing and Planning Panel on 16 March 2017 to the Cabinet item 7(a) refers.

**LIST REFERENCE: 2/13/16-17**

<b>SUBJECT / TITLE OF REPORT</b>								
Review of the Constitution								

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by the Decision</b>	<b>Decision taken by</b>	<b>Date decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>	<b>Appropriate Overview and Scrutiny Committee</b>
1	All	Cabinet	4 April 2017	No	Budget and Policy Framework Item for Recommendation to the Council	Graham Seal 01707 357444 <a href="mailto:g.seal@welhat.gov.uk">g.seal@welhat.gov.uk</a>	No	All

<b>DECISION:</b>
<p>(1) The Cabinet agreed and recommended to the Annual Council meeting changes to the Constitution relating to the restructuring of the senior management of the Council including responsibility for functions and appointments of Proper Officers, the re-integration of the housing service into the Council, the creation of a property company, external auditor appointments, the formation of a joint building control service, together with general updating, including to Contract and Financial Procedure Rules and the procedure for call-in of planning applications.</p> <p>(2) The Cabinet agreed and recommended to the Annual Council meeting that the Head of Law and Administration as Monitoring Officer be authorised to amend the Constitution to include these changes and to make any other minor amendments where required by Statute or decisions of the Council in accordance with delegated powers.</p>

<b>BACKGROUND:</b>
Report of the Executive Director (Public Protection, Planning and Governance) to the Cabinet item 7(b) refers.

**LIST REFERENCE: 3/13/16-17**

<b>SUBJECT / TITLE OF REPORT</b>
Community Infrastructure Levy (CIL) Preliminary Draft Charging Scheme Consultation

Part 1 or 2 (relevant exempt Paragraph)	Wards affected by the Decision	Decision taken by	Date decision taken	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non-Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by	Appropriate Overview and Scrutiny Committee
1	All	Cabinet	4 April 2017	No	Key Forward Plan Ref: FP779	Bryce Tudball 01707 357306 <a href="mailto:b.tudball@welhat.gov.uk">b.tudball@welhat.gov.uk</a>	No	Environment

<b>DECISION:</b>
The CIL Preliminary Draft Charging Schedule and Initial Draft Regulation 123 List was agreed for six weeks of public consultation.

<b>BACKGROUND:</b>
Recommendations of Cabinet Housing and Planning Panel on 16 March 2017 to the Cabinet item 8(a) refers.

LIST REFERENCE: 4/13/16-17

SUBJECT / TITLE OF REPORT								
Local Development Scheme (LDS)								

Part 1 or 2 (relevant exempt Paragraph)	Wards affected by the Decision	Decision taken by	Date decision taken	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non-Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by	Appropriate Overview and Scrutiny Committee
1	All	Cabinet	4 April 2017	No	Key Forward Plan Ref: FP782	Sue Tiley 01707 357268 <a href="mailto:s.tiley@welhat.gov.uk">s.tiley@welhat.gov.uk</a>	No	Environment

DECISION:
The Cabinet agreed that the revised Local Development Scheme be adopted.

BACKGROUND:
Recommendations of Cabinet Housing and Planning Panel on 16 March 2017 to the Cabinet item 8(b) refers.



**LIST REFERENCE: 5/13/16-17**

**SUBJECT / TITLE OF REPORT**

Renewal of Insurance Policies 2017/18 – Request for Delegated Authority

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by the Decision</b>	<b>Decision taken by</b>	<b>Date decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>	<b>Appropriate Overview and Scrutiny Committee</b>
1	All	Cabinet	4 April 2017	No	Key Forward Plan Ref: FP788	Andrea Plucknett 01707 357453 <a href="mailto:a.plucknett@welhat.gov.uk">a.plucknett@welhat.gov.uk</a>	No	Resources

**DECISION:**

The Executive Director (Resources, Environment and Cultural Services), in consultation with the Executive Member (Resources), was given delegated authority to approve the renewal of insurance policies, in view of the need for expeditious decisions to be made outside of timetabled meetings with the outcome to be reported to the September Cabinet meeting.

**BACKGROUND:**

Report of the Executive Director (Resources, Environment and Cultural Services) to the Cabinet item 8(c) refers.

**LIST REFERENCE: 6/13/16-17**

<b>SUBJECT / TITLE OF REPORT</b>								
Hatfield 2030+ Renewal Project								

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by the Decision</b>	<b>Decision taken by</b>	<b>Date decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>	<b>Appropriate Overview and Scrutiny Committee</b>
1	Hatfield	Cabinet	4 April 2017	No	Non-Key	Colin Haigh 01707 357239 <a href="mailto:c.haigh@welhat.gov.uk">c.haigh@welhat.gov.uk</a>	No	Environment

<b>DECISION:</b>
<p>(1) Members affirmed their commitment to the renewal of Hatfield by endorsing the vision and policies in the emerging Local Plan and the vision and objectives in the Hatfield Renewal Framework and also affirmed their commitment to ensuring that individual development schemes would be planned and designed to look and feel like an integrated programme of regeneration.</p> <p>(2) Members agreed to give delegated authority to the Executive Director (Resources, Environment and Cultural Services), in consultation with the Executive Member (Resources) and the Executive Member (Business, Partnerships and Public Health), to submit a funding bid to Herts Local Enterprise Partnership for £6M to support the development of Hatfield town centre projects.</p> <p>(3) Members authorised Officers to prepare and submit a planning application for the construction of a multi-storey car park on The Common car park site.</p> <p>(4) Members acknowledged that Officers would investigate and make future proposals in respect of the wider implications of the construction of a multi-storey car park.</p> <p>(5) Members acknowledged that future reports would seek authority to prepare and submit planning application for development on other council-owned sites.</p>

<b>BACKGROUND:</b>
Report of the Executive Director (Public Protection, Planning and Governance) to the Cabinet item 9 refers.

**LIST REFERENCE: 7/13/16-17**

**SUBJECT / TITLE OF REPORT**

Capital Budget Roll Forwards Report 2017/18

Part 1 or 2 (relevant exempt Paragraph)	Wards affected by the Decision	Decision taken by	Date decision taken	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non-Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by	Appropriate Overview and Scrutiny Committee
1	All	Cabinet	4 April 2017	No	Non-Key	Alex Jump 01707 357312 <a href="mailto:a.jump@welhat.gov.uk">a.jump@welhat.gov.uk</a>	No	Resources

**DECISION:**

- (1) A budget of £8.951M was approved for capital schemes to be rolled forward.
- (2) All roll forward schemes that had not yet received approval for release of funds would be subject to further detailed reports being brought to Members to seek approval to spend.

**BACKGROUND:**

Report of the Executive Director (Resources, Environment and Cultural Services) to the Cabinet item 10 refers.

**LIST REFERENCE: 8/13/16-17**

<b>SUBJECT / TITLE OF REPORT</b>
Business Rates Budget Changes

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by the Decision</b>	<b>Decision taken by</b>	<b>Date decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>	<b>Appropriate Overview and Scrutiny Committee</b>
1	All	Cabinet	4 April 2017	No	Non-Key	Farhad Cantel 01707 357011 <a href="mailto:f.cantel@welhat.gov.uk">f.cantel@welhat.gov.uk</a>	No	Resources

<b>DECISION:</b>
Delegated authority was given to the Executive Director (Resources, Environment and Cultural Services), in consultation with Executive Member (Resources), to agree the Council's discretionary relief guidelines to take account of measures contained in the Chancellor's budget to provide additional relief to businesses following the 2017 non-domestic rating revaluation in view of the need for expeditious decisions to be made outside of timetabled meetings with the final discretionary relief guidelines being reported to a future Cabinet meeting for noting.

<b>BACKGROUND:</b>
Report of the Executive Director (Resources, Environment and Cultural Services) to the Cabinet item 11 refers.

**LIST REFERENCE: 9/13/16-17**

**SUBJECT / TITLE OF REPORT**

The Release of Approved Capital Funding in 2017/18

Part 1 or 2 (relevant exempt Paragraph)	Wards affected by the Decision	Decision taken by	Date decision taken	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non-Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by	Appropriate Overview and Scrutiny Committee
1	All	Cabinet	4 April 2017	No	Non-Key	Ka Ng 01707 357275 <a href="mailto:k.ng@welhat.gov.uk">k.ng@welhat.gov.uk</a>	No	Resources

**DECISION:**

- (1) The release of the capital budget of £13,929,080 for expenditure arising during 2017/18 under the affordable housing programme, including property acquisitions, grant funding to registered providers and costs incurred relating to the Council's own new build programme was approved.
- (2) The release of the maintenance capital budget of £11,450,600 for 2017/18 funded by the Major Repairs Allowances and Housing Revenue Account reserves was approved.
- (3) The release of funds of £4,816,460 in April 2017 for capital projects in Environment Services to be progressed was approved.
- (4) The release of funds of £940,000 for Corporate Property miscellaneous schemes was approved.
- (5) The capital budget of £644,000 was released to allow asbestos removal and garage renovation and improvement work to be progressed.
- (6) The release of the capital budget of £471,000 for the payment of Disabled Facilities Grants/Discretionary Grants and Loans was approved.
- (7) The release of funding of £335,000 from the capital programme for 2017/18 for Corporate Property projects was approved.

**DECISION:**

- (8) The capital budget of £160,000 was released for the King George V Multi Use Games Area.
- (9) The release of the allocated £100,000 for Finesse Leisure schemes was approved.

**BACKGROUND:**

Report of the Executive Director (Resources, Environment and Cultural Services) to the Cabinet item 12 refers.

**LIST REFERENCE: 10/13/16-17**

<b>SUBJECT / TITLE OF REPORT</b>								
Sale of High Value Council Properties – Affordable Housing								

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by the Decision</b>	<b>Decision taken by</b>	<b>Date decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>	<b>Appropriate Overview and Scrutiny Committee</b>
2	All	Cabinet	4 April 2017	No	Key Forward Plan Ref: FP799	Sian Chambers 01707 357640 <a href="mailto:s.chambers@welhat.gov.uk">s.chambers@welhat.gov.uk</a>	No	Social

<b>DECISION:</b>
<p>(1) The Cabinet noted the content of this report on this scheme.</p> <p>(2) The Cabinet agreed that the method of identifying high value homes be carried out via an area approach rather than by a prescribed list as previously agreed.</p> <p>(3) The Cabinet agreed the high value areas.</p> <p>(4) Delegated authority was given to the Executive Director (Resources, Environment and Cultural Services) and Executive Director (Housing and Communities), in consultation with the Executive Member (Planning, Housing and Community) and Executive Member (Resources), to approve the sale of a vacant property where its valuation met the criteria.</p> <p>(5) The Cabinet noted that if a property became vacant and was considered to have a high value but was not located within one of the high value areas, a valuation would be carried out and if it met the high value homes criteria a recommendation would be brought to the Cabinet regarding the potential sale.</p>

<b>BACKGROUND:</b>
Exempt report of the Executive Director (Housing and Communities) to Cabinet item 15(a) refers. As the report contains confidential/exempt information it is not available to the press or public.

**LIST REFERENCE: 11/13/16-17**

<b>SUBJECT / TITLE OF REPORT</b>
Award of Build Contract for the Redevelopment of 16 Bedsit Flats on Northdown Road as part of the Councils Affordable Housing Programme

Part 1 or 2 (relevant exempt Paragraph)	Wards affected by the Decision	Decision taken by	Date decision taken	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non-Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by	Appropriate Overview and Scrutiny Committee
2	Hatfield South	Cabinet	4 April 2017	No	Key Forward Plan Ref: FP790	Sian Chambers 01707 357640 <a href="mailto:s.chambers@welhat.gov.uk">s.chambers@welhat.gov.uk</a>	No	Social

<b>DECISION:</b>
The Affordable Housing Programme Procurement Board recommendation that the contract for the demolition of sixteen council owned bedsits and build of sixteen one bed flats at Northdown Road, Hatfield be awarded to Taylor French Developments Ltd (Taylor French) was approved.

<b>BACKGROUND:</b>
Exempt report of the Executive Director (Housing and Communities) to Cabinet item 15(b) refers. As the report contains confidential/exempt information it is not available to the press or public.



**LIST REFERENCE: 12/13/16-17**

**SUBJECT / TITLE OF REPORT**

Decommissioning of Existing Unsuitable Sheltered Housing Properties and Schemes and Proposals for Revised Use and Older Persons New Build Opportunity

Part 1 or 2 (relevant exempt Paragraph)	Wards affected by the Decision	Decision taken by	Date decision taken	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non-Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by	Appropriate Overview and Scrutiny Committee
2	All	Cabinet	4 April 2017	No	Non-Key	Sian Chambers 01707 357640 <a href="mailto:s.chambers@welhat.gov.uk">s.chambers@welhat.gov.uk</a>	No	Social

**DECISION:**

- (1) The Cabinet approved the commencement of initial consultation with residents and family members about the proposal to redevelop Minster House, Hatfield on the basis that the proposed new scheme would be built using current best practice and recommended Housing Our Ageing Population Panel for Innovation (HAPPI) design principles for improved health and well-being and also accommodate more residents than currently occupied the property.
- (2) The Cabinet approved the commencement of consultation on a decommissioning process for two sheltered housing schemes at Burfield Close, Hatfield and Peartree Close, Welwyn Garden City in order to change the use from sheltered housing to general need rent or for other possible housing initiatives.
- (3) The Cabinet approved the commencement of negotiations with the Order of St John of God to explore alternative suitable accommodation for their Hospitaller clients, currently resident in Minster House and to include the option of offering Burfield Close for this purpose and a new leased arrangement.
- (4) The Cabinet gave authority to cease letting vacancies that arose in the above three schemes under the current allocations policy whilst the consultation was undertaken and until such time as a decision around the future proposals for these schemes had been agreed.

**BACKGROUND:**

Exempt report of the Executive Director (Housing and Communities) to Cabinet item 16 refers. As the report contains confidential/exempt information it is not available to the press or public.

**LIST REFERENCE: 13/13/16-17**

<b>SUBJECT / TITLE OF REPORT</b>
Write Offs Over £10,000

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by the Decision</b>	<b>Decision taken by</b>	<b>Date decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>	<b>Appropriate Overview and Scrutiny Committee</b>
2	Handside	Cabinet	4 April 2017	No	Non-Key	Farhad Cantel 01707 357011 <a href="mailto:f.cantel@welhat.gov.uk">f.cantel@welhat.gov.uk</a>	No	Resources

<b>DECISION:</b>
The Cabinet agreed a non-domestic rate write off where no further action could be taken.

<b>BACKGROUND:</b>
Exempt report of the Executive Director (Resources, Environment and Cultural Services) to Cabinet item 17 refers. As the report contains confidential/exempt information it is not available to the press or public.